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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
VINCENT RAGONE,

13 CV 04604 (KPF)(KNF)

Plaintiff,

MOTION TO DETERMINE
STANDARD OF REVIEW

-against-

ECF Case

AETNA LIFE INSURANCE COMPANY,

Defendant.

-----X

PLEASE TAKE NOTICE that, upon the accompanying Affirmation of Scott M. Riemer, dated December 4, 2013, and the exhibits annexed thereto, the Memorandum of Law simultaneously filed herewith and upon all prior pleadings and hearings previously had herein, plaintiff will move this Court before the Honorable Katherine P. Failla, at the United States Courthouse, 500 Pearl Street, New York, New York, 10007, at a time designated by the Court, for an order declaring that the appropriate standard of review in this action is *de novo*.

Dated: New York, New York
December 4, 2013

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By:/s/Scott M. Riemer

Scott M. Riemer (SR5005)

TO:

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CERTIFICATE OF SERVICE

I certify that on December 4, 2013, I served a true and complete copy of the foregoing MOTION TO DETERMINE STANDARD OF REVIEW by transmitting the same by electronic mail to the following individuals at the e-mail addresses indicated:

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I also certify that this document filed through the ECF system will be sent electronically to all registered participants on December 4, 2013.

Dated: New York, New York
December 4, 2013

/s/ Scott M. Riemer

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